Subject No. 49.
Village Munsiffs.

Messrs. Subbaraju of Bangalore Taluk, Srikantaiya and Anantarajaiya of Mysore City Municipality and Ramachandrappa of Devanhalli.

Summary of discussion.—The rules in force in His Majesty's Territories with regard to village patels or village munsiffs should be introduced into the Mysore State also, at least tentatively. The public at present are put to hardship and loss by being obliged to go to Civil Courts in all petty cases. The early disposal of the subject is solicited.

[On the other hand, Messrs. Annaiya Pandit, C. Srinivasa Rao, Dasappa of Nelamangala, Krishnamurti Rao of Magadi, and other members, were against the above proposal, on the ground that civil litigation in courts was already ruining people, and to empower village munsiffs with civil jurisdiction was calculated to increase the evil.]

Reply of Government.—The time is not yet for taking action as proposed, as our patels are not yet capable of exercising civil powers efficiently. If necessary, the subject may be brought forward some time hence.

Subject No. 50.
Setting aside of Civil and Revenue Sales.

Messrs. M. Venkatakrishnaiya, M. Anantarajaiya, N. Srikantaiya, and C. Krishnaiengar of Mysore City Municipality, B. Garudachar and C. Krishnamurti.

Summary of discussion.—(*a*) Civil sales should be set aside if money be paid by judgment-debtors within a month of sale, before the sales are confirmed.

(*b*) A similar provision should be made in the Land Revenue Code, as regards revenue sales.

Reply of Government.—Noted. A Draft Regulation to amend the Civil Procedure Code by (among other things) adding a section 310A to the above effect is before Government.

Subject No. 51.
Affidavit by decree-holders applying for sale of decreed property.

Mr. B. Garudachar of Shimoga.

Summary of discussion.—(*a*) In cases in which immovable property is ordered to be sold under a decree of a Civil Court, it is incumbent on the decree-holder to produce a certificate from the Sub-Registrar for his having had access to the Register books in view to find out previous encumbrances on the property in question and to file an affidavit. If the previous encumbrances happen to exceed the present market value of the immovable property, the sale of it by the Civil Court is of no advantage to the decree-holder. Further it is not possible to say if the previous encumbrances as evidenced by the entries in the Registration books, remain undischarged or not when the immovable property is sold under the decree. It follows that the affidavit and the Sub-Registrar's certificate presented by the decree-holder are of no avail. The filing of an affidavit by the decree-holder may therefore be dispensed with and arrangements made for noting the discharge of previous encumbrances relating to the immovable property in question against the entries made in the Registration books regarding such previous encumbrances.

Mr. C. Krishnamurti of Bangalore.

(*b*) The filing of affidavits and registration certificates is useless, and has become a mere form; its effect is merely